

REMARKS

The Examiner has imposed a restriction requirement dividing the pending claims into three groups as follows:

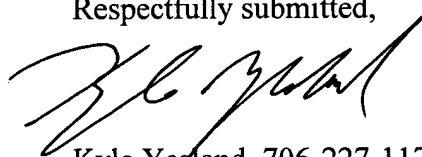
- Group I. Claims 50-81 and 83, drawn to an isolated nucleic acid molecule comprising an avian gut specific gene expression control region, a recombinant vector comprising said nucleic acid molecule, a cell comprising said nucleic acid molecule *in vitro*, and a method for producing a heterologous protein using said host cell, classified in class 536, subclass 24.1, class 435, subclass 320.1, 325 and 70.1.
- Group II. Claims 77-81 and 83, drawn to a eukaryotic cell transformed with the expression vector *in vivo*, and an *in vivo* method of producing a heterologous protein in said eukaryotic cell, classified in class 800, subclass 8.
- Group III. Claims 82 and 84-86, drawn to a transgenic avian comprising a recombinant nucleic acid molecule comprising an avian gut specific gene expression vector control region operably linked to a nucleic acid insert encoding a polypeptide, and a cell within the transgenic avian comprising said expression vector, classified in class 800, subclass 19.

Applicants elect without traverse the Group I claims.

Applicants have amended the claims to comply with the Examiner's restriction requirement and to more clearly point out what the applicants consider to be the invention. No new matter is believed to be introduced by the present preliminary amendment and, therefore, entry and consideration of same is believed proper and respectfully requested.

If any issues remain to be addressed in this matter, which might be resolved by discussion, the Examiner is respectfully requested to call applicants' undersigned counsel at the number indicated below.

Respectfully submitted,



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